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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,965	11/18/2003	Wei-Chia Huang	TAIW 192	4607

7590 06/30/2005

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EXAMINER

GARCIA, ERNESTO

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/714,965

Applicant(s)

HUANG, WEI-CHIA

Examiner

Ernesto Garcia

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2005 and 18 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 1-5 and 10-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-9 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Restriction

Applicant's election without traverse of Group II, claims 6-9, in the reply filed on April 13, 2005 is acknowledged.

Claims 1-5 and 10-15 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on April 13, 2005.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "91" has been used to designate both a first element with guide rods of one configuration (Figs. 1-4F) and a first element with guide rods of a second configuration (Figs. 5-8F).

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "61" "62" has been used to designate both guide rods without threaded holes (Figs. 1-4F) and guide rods with threaded holes (Figs. 5-8F).

Specification

The disclosure is objected to because of the following informalities: the description of "rails 23, 24" in line 22 of page 6 is not consistent with "rail slots 23, 24" as earlier described in line 15 of page 6. Appropriate correction is required.

Claim Objections

Claims 6 and 8 are objected to because of the following informalities:
regarding claim 6, --of the guide plate-- should be inserted after "hole" in lines 11 and 14; and,
regarding claim 8, "element" in line 1 should be --plate--. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 6-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 6, the limitation "at least a hook ... supported by a first spring" in line 14 is unclear as Figure 2 does not show the hooks 921 supported by the first spring, but rather passing through the first spring 93. Further, the limitation "said hook presses said first spring" recited in line 15 is questioned in light of the drawings and the specification. The figures do not show and the disclosure does not mention the hook 921 pressing the first spring 93.

Regarding claims 7-9, the claims depend from claim 1 and therefore are indefinite.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bisbing, 4,597,599, in view of Hansing, 4,767,139.

Regarding claim 6, Hansing discloses, in Figure 1, a guiding plate **34**, a locking plate **31**, a first spring **36**, a second spring **30**, and, a stopping rod **35**, and at least a hook **12**. The second spring **30** is mounted in a first direction and supports the guiding plate **34**. The guiding plate **34** is formed with a hole (where the spring 36 is sitting). The locking plate **31** is mounted to the guiding plate **34**. The locking plate **31** is formed with a stopping portion **33** correspondent to the hole and at least a locking hole **29**. The stopping rod **35** is mounted in the first direction and correspondent to the hole of the guiding plate **34** and the stopping portion **33**. The hook **12** corresponds to the hole of the guiding plate **34** and is supported by the first spring **36**. However, Bisbing fails to disclose a third spring mounted in a second direction and supporting the locking plate **31**. Verne et al. teach, in Fig. 2, a third spring 39 mounted in a second direction and supports a locking plate 10 to bias the locking plate into a locked position of the latch mechanism. Therefore, as taught by Verne, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a third spring mounted in a second direction and supported in the locking plate to bias the lock mechanism into a locked position.

Regarding claim 7, the locking mechanism further comprises a pair of guiding rods **22**. A length of the guiding rods **22** is longer than that of the stopping rod **35**.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bisbing, 4,597,599, as applied to claims 6 and 7 above, and further in view of Hansing, 4,767,139.

Regarding claim 9, Bisbing, as modified above, fails to disclose the locking hole 29 formed with a slope thereof and extended in the first direction. Hansing teaches a locking hole formed with a slope 70 thereof and extended in a first direction to allow the locking plate to be biased toward the first direction as the hook engages the locking hole. Therefore, as taught by Hansing, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the locking hole to include a slope thereof and extended in the first direction to bias the locking plate toward the first direction as the hook engages the locking hole.

Allowable Subject Matter

Claim 8 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 8, the prior art of record does not disclose or suggest a locking mechanism comprising a guiding plate formed with a pair of rails extending in a first direction to be received in rail slots of a locking plate.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernesto Garcia whose telephone number is 571-272-7083. The examiner can normally be reached from 9:30-5:30. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached at 571-272-7087.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



E.G.

June 24, 2005



**GREGORY J. BINDA
PRIMARY EXAMINER**